

REMARKS

Claims 1 to 20 remain pending in the application, with claims 1, 11 and 20 being the independent claims. Reconsideration and further examination are respectfully requested.

Initially, Applicant thanks the Examiner for the indication that claim 20 contains allowable subject matter and would be allowed if rewritten into independent form. This has been done above. Accordingly, claim 20 is now believed to be allowable.

Claims 1 to 7, 10 to 15 and 17 to 19 were rejected under 35 U.S.C. § 103(a) over Patent Application Publication No. US 2002/0084890 (Guerrieri) in view of U.S. Patent 6,394,622 (Macek); and claims 8, 9 and 16 were rejected under § 103(a) over Guerrieri in view of Macek and U.S. Patent 6,412,971 (Wojnarowski). Withdrawal of these rejections is respectfully requested for the following reasons.

The present invention concerns a flashlight in which an integrated circuit or a multi-state device, in combination with a switch operable by a user, controls which of a plurality of different light sources is/are illuminated. In this way, it is often possible to utilize a simple switch in order to control arbitrary light switching patterns. For example, by using light sources having different illumination, power-consumption or other properties, a flashlight according to the present invention may be configured to allow the user to control such different aspects of the flashlight beam and/or power consumption with the use of a simple switch. See, e.g., page 2, lines 27-29, of the Specification.

More specifically, independent claim 1 is directed to a flashlight that includes a plurality of light sources, each providing light when energized. A provided housing is

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configured so as to direct the light into a beam, and an integrated circuit is configured to control which of the plurality of light sources is/are illuminated. In particular, the integrated circuit controls illumination of the light sources based on input signals from a switch that is operable by a user and that is electrically coupled to the integrated circuit.

The foregoing combination of features is not disclosed or suggested by the applied art. In particular, no permissible combination of Guerrieri and Macek would have disclosed or suggested at least the feature of an integrated circuit that is configured to control which of a plurality of light sources is/are illuminated based on input signals from a user-operated switch.

In this regard, Guerrieri only vaguely alludes to the use of multiple light sources. In fact, the only reference to potentially using multiple light sources in Guerrieri's Specification is found at paragraph 55, which states:

"The lighting means may be a light emitting diode (LED), which is clear, frosted (diffused) and emits light in angles from 1 degree to 360 degrees, an incandescent light bulb or any other lighting means known in the art alone or in combination."

with similar language being repeated in Guerrieri's claims 3, 8, 13 and 18. Other than this single vague reference, the remainder of Guerrieri's Specification refers to his lighting means in the singular.

As a result, Guerrieri clearly does not disclose or suggest the controlled activation of different combinations of light sources (which may include activation of only a single light source) in any manner whatsoever, much less as recited in independent claim 1. Rather, the most that could be inferred from the above-referenced language in Guerrieri is that multiple light sources may be series- or parallel-connected in Guerrieri's

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circuit in place of a single lighting means. It is further noted that none of the other applied art appears to remedy this deficiency of Guerrieri, and the Office Action has not alleged that it would.

Lacking independent claim 1's feature of controlling which of a plurality of a light sources is/are illuminated, Guerrieri (even in combination with the other applied art) would not provide a user with the same ability to control the characteristics of a flashlight's light beam with the same degree of control that may be permitted by the present invention. More specifically, while Guerrieri's flashlight may provide a user with some additional control over the nature of the light produced by his device, his inability to separately control different light sources is believed to significantly limit the user's control over the emitted light.

For at least this reason, independent claim 1 and its dependent claims are believed to be allowable over the applied art. Such dependent claims recite additional features which further distinguish such claims from the applied art. Accordingly, the individual reconsideration of each on its own merits, particularly in view of the above remarks, is respectfully requested.

For example, dependent claim 5 recites the additional feature that the integrated circuit is a multi-state electronic device that changes state when a signal is input from the switch, with different states of the integrated circuit causing different combinations of the light sources to become illuminated. The Office Action asserts that Guerrieri's feature of determining the appropriate levels and periods of illumination is equivalent to this feature of the invention. However, as noted above, providing the ability merely to change illumination level does not provide the same flexibility as being able to

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selectively activate different combinations of multiple provided light sources. This latter feature does not appear to be disclosed or suggested by the applied art, and the Office Action has not even alleged that it is.

Dependent claim 6 recites the additional feature that the integrated circuit cycles through a fixed number of states, one each time a signal is received from the switch. This feature also does not appear to be disclosed or suggested by the applied art, and the Office Action has not even alleged that it is. For this additional reason, claim 6 is believed to be allowable over the applied art.

The foregoing discussion of dependent claims 5 and 6 is provided by way of example only. The other dependent claims also recite additional features that further distinguish the present invention over the applied art. Therefore, the reconsideration of each is respectfully requested.

Independent claim 11 is directed to a flashlight that includes a hand-sized flashlight body having plural light sources disposed within it and a switch disposed on it and having been configured to direct light from the plural light sources. A multi-state electronic device having plural states is electrically coupled to the switch and to the plural light sources. Each activation of the switch causes the multi-state electronic device to advance to a next one of the plural states, and each of the plural states causes a different combination of the light sources to illuminate.

The foregoing combination of features is not disclosed or suggested by the applied art. In particular, no permissible combination of Guerrieri and Macek would have disclosed or suggested at least the feature of a flashlight having a multi-state electronic device in which activation of a switch causes the multi-state electronic device to

advance to a next one of plural states, with each of the plural states causing a different combination of plural light sources to illuminate.

As noted above, Guerrieri only makes passing reference to using multiple light sources and does not say anything at all about selectively activating multiple light sources. In this regard, the Office Action has cited paragraphs 29, 37, 49 and 50 of Guerrieri as showing the above-referenced feature of independent claim 11. Those portions of Guerrieri have been analyzed in particular detail and are only understood to disclose as follows.

Paragraph 29 discusses the use of an integrated circuit to control illumination level for a single light-emitting diode based on multiple inputs (a push-button switch and a magnetic reed switch). This is clearly illustrated in Figure 5, which is referenced in the subject paragraph. However, this paragraph of Guerrieri says nothing at all about the above-referenced feature of the invention.

Paragraph 37 of Guerrieri merely discusses the power source for Guerrieri's device and again refers to the function of activating or deactivating a single LED based on the push button switch and magnetic reed switch inputs.

Guerrieri's paragraph 49 merely discusses a flow chart for changing the modes of a single LED device based on the states of the push button switch and the magnetic reed switch. The specific modes described are: illumination for a specific period of time, indefinite illumination, shutting off illumination, flashing illumination or placing the light source into a user-actuated mode of operation. It is noted that the states referred to in this paragraph are the states of the input devices (the push button switch 22 and magnetic reed switch 32) and have nothing at all to do with a multi-state electronic

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device, much less the use of such a device in accordance with the presently recited claim limitations.

Guerrieri's paragraph 50 elaborates on what was said in his paragraph 49, but is not materially different in content. In short, none of the specifically referenced portions of Guerrieri disclose or suggest a multi-state electronic device in which activation of a switch causes the device to advance to a next one of plural states, with each of the plural states causing a different combination of plural provided light sources to illuminate.

For these reasons, independent claim 11 is believed to be allowable over the applied art. Its dependent claims also recite additional features of the invention which further distinguish the invention from the applied art. Accordingly, the individual reconsideration of each such dependent claim also is respectfully requested.

In view of the foregoing remarks, the entire application is believed to be in condition for allowance, and an indication to that effect is respectfully requested.

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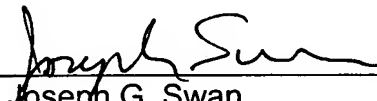
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Respectfully submitted,

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Dated: May 23, 2003

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